

ADOT File No.: IGA/ JPA 08-132-I
CAR No.: 13-0001339-I
Amendment No. One: 15-0005309-I
AG Contract No.:P0012009000876
Project: Tonto Creek Bridge
Section: Punkin Center
Federal-aid No.: GGI 0(204)X
ADOT Project No.: SS718 03D
TIP/STIP No.: HHP-GG1-0(204)A
CFDA No.: 20 .205 – Highway Planning and
Construction
Budget Source Item No.: NA

**AMENDMENT NO. ONE
TO
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
GILA COUNTY

THIS AMENDMENT NO. ONE to INTERGOVERNMENTAL AGREEMENT (the “**Amendment No. One**”), entered into this date _____ 2015, pursuant to Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State" or “ADOT”) and GILA COUNTY, acting by and through its BOARD OF SUPERVISORS (the “County”). The County and State are collectively referred to as the “Parties.”

WHEREAS, the INTERGOVERNMENTAL AGREEMENT, JPA/IGA 08-132-I, CAR No.:13-0001339-I, A.G. Contract No. P0012009000876, was executed on April 21,2009, (the “Original Agreement”);

WHEREAS, the State is empowered by Arizona Revised Statutes § 28-401 to enter into this Amendment No. One and has delegated to the undersigned the authority to execute this Amendment No. One on behalf of the State;

WHEREAS, the County is empowered by Arizona Revised Statutes § 11-251 to enter into this Amendment No. One and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Amendment No. One and has authorized the undersigned to execute this Amendment No. One on behalf of the County; and

NOW THEREFORE, in consideration of the mutual agreements expressed herein, the purpose of this Amendment No. One is to increase Project Management Design and Review (PMDR) costs in the amount of \$13,870.00. The Parties desire to amend the Original Agreement, as follows:

I. RECITALS

Section I., The following PMDR Cost Estimate is added.

The estimated PMDR costs are added as follows:

SS718 01D (ADOT Project Management & Design Review (PMDR) costs):

Total PMDR Costs	\$ 25,118.00
County's Payments	<u>\$ 11,248.00</u>
County's PMDR Balance	\$ 13,870.00
Total County PMDR Costs Due	\$ 13,870.00

Upon execution of the Amendment No. One, the State will invoice the County for the balance of the County's PMDR costs estimated at \$13,870.00 to be paid by the County within thirty (30) days of receipt of an invoice from the State.

III. MISCELLANEOUS PROVISIONS

Section III., Paragraph 13., is added, as follows:

13. The County acknowledges compliance with federal laws and regulations and may be subject to the Office of Management and Budget (OMB), Single Audit, Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). Entities that expend \$500,000.00 or more (prior to 12/26/14) and \$750,000.00 or more (on or after 12/26/14) of federal assistance (federal funds, federal grants, or federal awards) are required to comply by having an independent audit. Either an electronic or hardcopy of the Single Audit is to be sent to Arizona Department of Transportation, Financial Management Services within the required deadline of nine (9) months of the sub recipient fiscal year end.

ADOT – FMS
Attn: Cost Accounting Administrator
206 S 17th Ave. Mail Drop 204B
Phoenix, AZ 85007
SingleAudit@azdot.gov

EXCEPT AS AMENDED herein, **ALL OTHER** terms and conditions of the Original Agreement remain in full force and effect.

THIS AMENDMENT NO. ONE shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

IN ACCORDANCE WITH Arizona Revised Statutes § 11-952 (D) attached hereto and incorporated herein is the written determination of each Party's legal counsel that the Parties are authorized under the laws of this State to enter into this Amendment No. One and that the Amendment No. One is in proper form.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. One the day and year first above written.

GILA COUNTY

STATE OF ARIZONA

Department of Transportation

By _____
MICHAEL A. PASTOR
Chairman, Board of Supervisors

By _____
STEVE BOSCHEN, P.E.
ITD Division Director

ATTEST:

By _____
MARIAN SHEPPARD
Clerk of the Board

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ATTORNEY APPROVAL FORM FOR GILA COUNTY

I have reviewed the above referenced Amendment No. One to the Original Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and GILA COUNTY, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Amendment No. One to be in proper form and within the powers and authority granted to Gila County, under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Amendment No. One.

DATED this _____ day of _____, 2015.

Bryan B. Chambers, Deputy County Attorney/Civil Bureau Chief